

**FILED**

AUG - 3 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

**UNITED STATES DISTRICT COURT**

DISTRICT OF IDAHO  
U.S. COURTHOUSE, ROOM 400  
BOX 039  
550 WEST FORT STREET  
BOISE, IDAHO 83724

CAMERON S. BURKE  
CLERK

208/334-1361

MEMORANDUM

Date: July 30, 2007

CR-07-417-DJ

To: U.S. District Court  
District of Northern District of California

From: US District Court, State of Idaho  
Darlene Smith, Deputy Clerk

Re: Case No. CR 91-56-S-HLR

Case Name: USA v Pirtle

This case has been transferred to your District per the enclosed order. Included from the case is a certified copy of the docket sheet, indictment, superseding indictment and judgment.

Please acknowledge receipt of the above and return the acknowledgment to the District of Idaho.

Received by:

Date Received:

Please return acknowledgment to:

Clerk, US District Court  
District of Idaho  
550 W Fort St  
MSC 042  
Boise, ID 83724

E-filing

PROB 22  
(Rev. 2/88)

## TRANSFER OF JURISDICTION

DOCKET NUMBER (Tran. Court)

Cr. 91-56-S-HLR

DOCKET NUMBER (Rec. Court)

CR07-00417

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE

Mark D. Pirtle

DISTRICT

Idaho

DIVISION

Boise

NAME OF SENTENCING JUDGE

Honorable Harold L. Ryan

DATES OF  
SUPERVISED RELEASE

FROM

TO

January 24, 2007

January 23, 2012

## OFFENSE

21 USC 846 & 841(a)(1) Conspiracy to Manufacture Methamphetamine  
18 USC 924(c)(1) Use of a Firearm During Drug Trafficking Crime

ORIGINAL  
FILED  
JUN 29 2007  
RICHARD W. WICKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

## PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE \_\_\_\_\_ DISTRICT OF \_\_\_\_\_ IDAHO

IT IS HEREBY ORDERED that, pursuant to 18 U.S.C. 3605, the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the \_\_\_\_\_ Northern District of California \_\_\_\_\_ upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.\*

6/19/2007  
Date

B. J. W.  
United States District Judge

\*This sentence may be deleted in the discretion of the transferring Court.

## PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE \_\_\_\_\_ NORTHERN \_\_\_\_\_ DISTRICT OF \_\_\_\_\_ CALIFORNIA

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

RECEIVED  
JUL 2 2007  
U.S. PROBATION DEPT.  
NORTHERN DIST. CALIF.  
OAKLAND

June 27, 2007  
Effective Date

Adam T. [Signature]  
United States District Judge

Xoxlor

# UNITED STATES DISTRICT COURT

## District of Idaho

DISTRICT COURT  
U.S. BANKRUPTCY COURT

MAY 12 A 11:49

UNITED STATES OF AMERICA

v.

Case Number CR 91-056 SHLR IDAHO

MARK D. PIRTLE  
Defendant.

### JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

The defendant, MARK D. PIRTLE, was represented by David Manweiler.

The defendant was found guilty on count(s) 1, 9 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

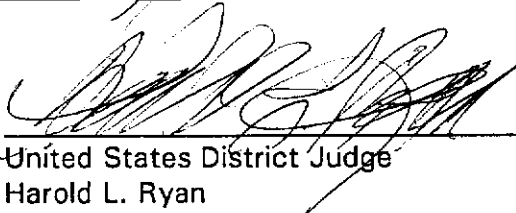
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 846, 841(a)(1)	Conspiracy to mfg. methamphetamine		1
18 USC 924(c)(1)	Use of a firearm during drug trafficking crime		9

As pronounced on May 12, 1994, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, for count(s) 1, 9, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 12 day of May, 1994.

  
\_\_\_\_\_  
United States District Judge  
Harold L. Ryan

I hereby certify that the annexed instrument  
is a true and correct copy of the original on  
file in my office.

Dated this 12 day of May, 1994

CLERK, U.S. DISTRICT COURT

By [Signature] Deputy

Judgment--Page 2 of 5

Defendant: MARK D. PIRTLE  
Case Number: CR 91-056 S HLR

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 151 months on count one, and 60 months on count nine. These sentences are to run consecutively.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: MARK D. PIRTLE  
Case Number: CR 91-056 S HLR

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If ordered to the custody of the Bureau of Prisons, the defendant shall report in person to the probation office in which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.

Participate in a program of drug aftercare, which may include urine testing, as directed by the probation officer.

Submit to a search of your person, residence, or automobile as directed by your probation officer, and you shall submit to the seizure of any contraband found therein.

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Judgment--Page 4 of 5

Defendant: MARK D. PIRTLE  
Case Number: CR 91-056 S HLR

**FINE**

The defendant shall pay a fine of \$ 13,875.00. This fine includes any costs of incarceration and supervision. Any amount of this fine which remains unpaid at the commencement of the term of supervised release shall be paid to the Clerk of the Court, 550 W. Fort St., MSC 39, Boise, ID 83724, on a monthly payment schedule as directed by the probation officer.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived, and any interest required from the previous sentence of July 9, 1992, is exonerated.

This fine (plus any interest required) shall be paid immediately.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Judgment--Page 5 of 5

Defendant: MARK D. PIRTLE  
Case Number: CR 91-056 S HLR

### STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	34
Criminal History Category:	I
Imprisonment Range:	151 months to 188 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 17,500 to \$ 4,000,000
Restitution:	\$

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): The defendant has been a model prisoner and the court feels a sentence at the bottom of the range is appropriate.

FILED  
U.S. DISTRICT COURT  
NOV 12 2007 A 9:22  
DISTRICT OF IDAHO  
CAMERON S. BURKE

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

CR No. 91-056-S-HLR

SUPERSEDING INDICTMENT

-vs-

21 U.S.C. 846

21 U.S.C. 841(a)(1)

21 U.S.C. 841(b)(1)(B)

21 U.S.C. 841(d)(2)

18 U.S.C. 922(g)(1)

18 U.S.C. 924(c)(1)

21 U.S.C. 843(b)

PETER CHARLES ACUNA; ROBERT  
VICKERY; RENEE LYNN WHITE,  
aka RENEE LYNN VICKERY;  
SANDRA ANN MARSHALL, aka  
SANDRA ANN ACUNA; and  
MARK PIRTLE,

Defendants.

The Grand Jury charges:

COUNT ONE

(Vio. 21 USC 846; 841(a)(1))

THAT between the dates of April 1, 1991 and May 12, 1991,  
within the District of Idaho and in various other districts, PETER  
CHARLES ACUNA, ROBERT VICKERY, RENEE LYNN WHITE, aka RENEE LYNN  
VICKERY, SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, and MARK  
PIRTLE, defendants herein, did combine, conspire, confederate and

SUPERSEDING INDICTMENT - PAGE 1

08



1 agree with each other, and with other persons, both known and  
2 unknown to the Grand Jury, to manufacture methamphetamine, a  
3 Schedule II Controlled Substance, in violation of Title 21, United  
4 States Code, Section 841(a)(1), all in violation of Title 21,  
5 United States Code, Section 846.

6 In furtherance of the conspiracy, and to effect the objects  
7 thereof, in the District of Idaho and elsewhere, one or more of the  
8 defendants committed, or caused to be committed, overt acts,  
9 including but not limited to the following:

10  
11 OVERT ACTS

12 1. On or about April 17, 1991, PETER CHARLES ACUNA contacted  
13 Mike Lusk, an agent of the Idaho Bureau of Narcotics, to inquire  
14 about the availability of hydriodic acid, a chemical used in the  
15 manufacture of methamphetamine.

16 2. On or about April 18, 1991, PETER CHARLES ACUNA contacted  
17 Dave Kynoch, an agent of the Idaho Bureau of Narcotics, to inquire  
18 about the availability of hydriodic acid.

19 3. On or about April 19, 1991, at approximately 10:40 a.m.,  
20 PETER CHARLES ACUNA and SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA,  
21 met with Agent Dave Kynoch and discussed the purchase of ten  
22 gallons of hydriodic acid.

23 4. On or about April 19, 1991, at approximately 5:10 p.m.,  
24 PETER CHARLES ACUNA and SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA,  
25 met with Agent Dave Kynoch and purchased ten gallons of hydriodic  
26

1 acid for \$2,400.00. The future purchase of additional chemicals  
2 was also discussed.

3 5. On or about May 6, 1991, at approximately 12:58 p.m.,  
4 PETER CHARLES ACUNA telephoned Agent Dave Kynoch and discussed the  
5 purchase of chemicals used in the manufacture of methamphetamine.

6 6. On or about May 6, 1991, at approximately 3:55 p.m.,  
7 PETER CHARLES ACUNA telephoned Agent Dave Kynoch and ordered  
8 chemicals used in the manufacture of methamphetamine.

9 7. On or about May 7, 1991, at approximately 10:30 a.m.,  
10 PETER CHARLES ACUNA telephoned Agent Dave Kynoch and discussed the  
11 purchase of additional chemicals used in the manufacture of  
12 methamphetamine.

13 8. On or about May 7, 1991, at approximately 7:55 p.m.,  
14 PETER CHARLES ACUNA telephoned Agent Dave Kynoch and discussed the  
15 purchase of additional chemicals used in the manufacture of  
16 methamphetamine.

17 9. On or about May 7, 1991, RENEE LYNN WHITE, aka RENEE LYNN  
18 VICKERY, and ROBERT VICKERY withdrew \$7,000.00 from a bank account  
19 to finance the purchase of chemicals used in the manufacture of  
20 methamphetamine.

21 10. On or about May 9, 1991, at approximately 5:35 p.m.,  
22 PETER CHARLES ACUNA telephoned Agent Dave Kynoch from Nevada and  
23 advised Kynoch of his travel plans to Boise.

24  
25  
26  
27 SUPERSEDING INDICTMENT - PAGE 3  
28

1 11. On or about May 9, 1991, PETER CHARLES ACUNA carried or  
2 used a 9mm Browning Hi-Power semi-automatic pistol in traveling  
3 from California.

4 12. On or about May 9, 1991, MARK PIRTLE used or carried a  
5 .32 caliber Deutsche Werke semi-automatic pistol in traveling from  
6 California.

7 13. On or about May 10, 1991, at approximately 5:23 p.m.,  
8 SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, contacted Agent Dave  
9 Kynoch to inform him that PETER CHARLES ACUNA had been arrested in  
10 Winnemucca, Nevada.

11 14. On or about May 10, 1991, RENEE LYNN WHITE, aka RENEE  
12 LYNN VICKERY, and ROBERT VICKERY posted bail for PETER CHARLES  
13 ACUNA in Winnemucca, Nevada.

14 15. On or about May 10, 1991, at approximately 10:35 p.m.,  
15 SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, telephoned Agent Dave  
16 Kynoch to inform him of developments regarding ACUNA's arrest.

17 16. On or about May 11, 1991, at approximately 10:30 a.m.,  
18 PETER CHARLES ACUNA telephoned Agent Dave Kynoch to discuss his  
19 release from jail and plans to continue to Boise.

20 17. On or about May 11, 1991, PETER CHARLES ACUNA, ROBERT  
21 VICKERY and RENEE LYNN WHITE, aka RENEE LYNN VICKERY, traveled to  
22 Nampa, Idaho.

23 18. On or about May 11, 1991, at approximately 4:00 p.m.,  
24 PETER CHARLES ACUNA rented rooms 116 and 117, Shilo Inn, Nampa  
25 Boulevard, Nampa, Idaho.

26  
27 SUPERSEDING INDICTMENT - PAGE 4  
28

1 19. On or about May 11, 1991, RENEE LYNN WHITE, aka RENEE  
2 LYNN VICKERY, and ROBERT VICKERY took possession of room 116, Shilo  
3 Inn, Nampa Boulevard, Nampa, Idaho.

4 20. On or about May 11, 1991, at approximately 5:03 p.m.,  
5 PETER CHARLES ACUNA telephoned Agent Dave Kynoch to arrange a  
6 meeting place for ACUNA's purchase of chemicals.

7 21. On or about May 11, 1991, at approximately 6:20 p.m.,  
8 PETER CHARLES ACUNA met with Agent Dave Kynoch and showed Kynoch  
9 the cash to be used for the chemical purchase.

10 22. On or about May 11, 1991, at approximately 7:53 p.m.,  
11 PETER CHARLES ACUNA met Agent Dave Kynoch at the Stage Stop Truck  
12 Stop to complete the chemical purchase.

13 23. On or about May 11, 1991, PETER CHARLES ACUNA took  
14 possession of approximately ten pounds of ephedrine, 15 gallons of  
15 hydriodic acid, three liters of methylamine, 10 pounds of  
16 phenylacetic acid, and 50 pounds of caustic soda, from Agent  
17 Kynoch. In exchange, ACUNA delivered approximately \$5,500.00 in  
18 cash and three pounds of marijuana to Agent Dave Kynoch.

19 24. On or about May 11, 1991, PETER CHARLES ACUNA carried a  
20 loaded 9mm Browning Hi-Power semi-automatic pistol during the  
21 chemical purchase and marijuana delivery.

22 25. On or about May 11, 1991, PETER CHARLES ACUNA and Agent  
23 Kynoch discussed future chemical transactions in which ACUNA would  
24 provide quantities of methamphetamine to Agent Kynoch in exchange  
25 for chemicals used to manufacture additional methamphetamine.

26  
27 SUPERSEDING INDICTMENT - PAGE 5  
28

1        26. On or about May 11, 1991, ROBERT VICKERY and RENEE LYNN  
2 WHITE, aka RENEE LYNN VICKERY, possessed methamphetamine with the  
3 intent to distribute.

4        27. That on or about May 11, 1991, ROBERT VICKERY and RENEE  
5 LYNN WHITE, aka RENEE LYNN VICKERY, possessed marijuana with the  
6 intent to distribute.

7  
8                    COUNT TWO

9                    (Vio. 21 USC 841(d)(2))

10        That on or about April 19, 1991, within the District of Idaho,  
11 PETER CHARLES ACUNA and SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA,  
12 defendants herein, did willfully and intentionally possess a listed  
13 chemical, namely: hydriodic acid, knowing, or having reasonable  
14 cause to believe, that the hydriodic acid would be used to  
15 manufacture methamphetamine, in violation of Title 21, United  
16 States Code, Section 841(a)(1), all in violation of Title 21,  
17 United States Code, Section 841(d)(2).

18                    COUNT THREE

19                    (Vio. 21 USC 843(b))

20        That on or about May 10, 1991, at approximately 5:23 p.m.,  
21 within the District of Idaho and elsewhere, SANDRA ANN MARSHALL,  
22 aka SANDRA ANN ACUNA, defendant herein, did knowingly and  
23 intentionally use a communication facility, that is, a telephone,  
24 to commit or cause or facilitate the commission of the crime of  
25 conspiracy to manufacture methamphetamine, as charged in Count One,

26  
27 SUPERSEDING INDICTMENT - PAGE 6  
28

1 and/or the crime of possessing listed chemicals, as charged in  
2 Counts Ten, Eleven, Twelve or Thirteen, all of which are felonies  
3 under the provisions of Title 21, United States Code; all in  
4 violation of Title 21, United States Code, Section 843(b).

5  
6 COUNT FOUR  
7 (Vio. 21 USC 843(b))

8 That on or about May 10, 1991, at approximately 10:35 p.m.,  
9 within the District of Idaho and elsewhere, SANDRA ANN MARSHALL,  
10 aka SANDRA ANN ACUNA, defendant herein, did knowingly and  
11 intentionally use a communication facility, that is, a telephone,  
12 to commit or cause or facilitate the commission of the crime of  
13 conspiracy to manufacture methamphetamine, as charged in Count One,  
14 and/or the crime of possessing listed chemicals, as charged in  
15 Counts Ten, Eleven, Twelve or Thirteen, all of which are felonies  
16 under the provisions of Title 21, United States Code; all in  
17 violation of Title 21, United States Code, Section 843(b).

18 COUNT FIVE  
19 (Vio. 21 USC 841(a)(1))

20 That on or about May 11, 1991, within the District of Idaho,  
21 PETER CHARLES ACUNA, defendant herein, did knowingly and  
22 intentionally distribute marijuana, a Schedule I Controlled  
23 Substance, to Idaho Bureau of Narcotics Agent Dave Kynoch, in  
24 violation of Title 21, United States Code, Section 841(a)(1).

**COUNT SIX**

(Vio. 21 USC 841(a)(1); 841(b)(1)(B))

That on or about May 11, 1991, within the District of Idaho, ROBERT VICKERY and RENEE LYNN WHITE, aka RENEE LYNN VICKERY, defendants herein, did knowingly and intentionally possess 100 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, with the intent to distribute, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT SEVEN**

(Vio. 21 USC 841(a)(1))

That on or about May 11, 1991, within the District of Idaho, ROBERT VICKERY and RENEE LYNN WHITE, aka RENEE LYNN VICKERY, defendants herein, did knowingly and intentionally possess marijuana, a Schedule I Controlled Substance, with the intent to distribute, in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT EIGHT**

(Vio. 18 USC 924(c)(1))

That on or about May 11, 1991, within the District of Idaho, PETER CHARLES ACUNA, defendant herein, knowingly used and/or carried a firearm, that is: a 9mm Browning Hi-Power semi-automatic pistol, during and in relation to the drug trafficking crimes described in Counts One, Five, Ten, Eleven, Twelve and Thirteen

1 hereof, in violation of Title 18, United States Code, Section  
2 924(c)(1).

3  
4 COUNT NINE  
5 (Vio. 18 USC 924(c)(1))

6 That on or between May 9, 1991, and May 11, 1991, within the  
7 District of Idaho and elsewhere, MARK PIRTLE, defendant herein,  
8 knowingly used and/or carried a firearm, that is: a .32 caliber  
9 Deutsche Werke semi-automatic pistol and/or a 9mm Browning Hi-  
10 Power semi-automatic pistol, during and in relation to the drug  
11 trafficking crime described in Count One hereof, in violation of  
12 Title 18, United States Code, Section 924(c)(1).

13  
14 COUNT TEN  
15 (Vio. 18 USC 922(g)(1))

16 That on or about May 11, 1991, within the District of Idaho,  
17 PETER CHARLES ACUNA, defendant herein, did unlawfully possess, in  
18 or affecting commerce, a firearm, namely: a 9mm Browning Hi-Power  
19 semi-automatic pistol, said ACUNA having previously been convicted  
20 of crimes punishable by imprisonment for a term exceeding one year,  
21 to wit: on or about December 28, 1976, in Eldorado County Superior  
22 Court, California, for the crime of Assault With a Deadly Weapon;  
23 on or about July 22, 1977, in Sacramento County Superior Court,  
24 California, for the crime of Forgery; and/or on or about May 11,  
25 1981, in Clark County, Washington, for the crimes of robbery in the  
26 first degree, assault in the second degree and possession of stolen

27 SUPERSEDING INDICTMENT - PAGE 9  
28



1 property; all in violation of Title 18, United States Code, Section  
2 922(g)(1).

3  
4 COUNT ELEVEN  
5 (Vio. 21 USC 841(d)(2))

6 That on or about May 11, 1991, within the District of Idaho,  
7 PETER CHARLES ACUNA, defendant herein, did willfully and  
8 intentionally possess a listed chemical, namely: hydriodic acid,  
9 knowing, or having reasonable cause to believe that the hydriodic  
10 acid would be used to manufacture methamphetamine, in violation of  
11 Title 21, United States Code, Section 841(a)(1), all in violation  
12 of Title 21, United States Code, Section 841(d)(2).

13  
14 COUNT TWELVE  
15 (Vio. 21 USC 841(d)(2))

16 That on or about May 11, 1991, within the District of Idaho,  
17 PETER CHARLES ACUNA, defendant herein, did willfully and  
18 intentionally possess a listed chemical, namely: ephedrine,  
19 knowing, or having reasonable cause to believe that the ephedrine  
20 would be used to manufacture methamphetamine, in violation of Title  
21 21, United States Code, Section 841(a)(1), all in violation of  
22 Title 21, United States Code, Section 841(d)(2).

23 COUNT THIRTEEN  
24 (Vio. 21 USC 841(d)(2))

25 That on or about May 11, 1991, within the District of Idaho,  
26 PETER CHARLES ACUNA, defendant herein, did willfully and

27 SUPERSEDING INDICTMENT - PAGE 10  
28

1 intentionally possess a listed chemical, namely: methylamine,  
2 knowing, or having reasonable cause to believe, that the  
3 methylamine would be used to manufacture methamphetamine, in  
4 violation of Title 21, United States Code, Section 841(a)(1), all  
5 in violation of Title 21, United States Code, Section 841(d)(2).


6  
7 **COUNT FOURTEEN**  
8 **(Vio. 21 USC 841(d)(2))**

9 That on or about May 11, 1991, within the District of Idaho,  
10 PETER CHARLES ACUNA, defendant herein, did willfully and  
11 intentionally possess a listed chemical, namely: phenylacetic acid,  
12 knowing, or having reasonable cause to believe that the methylamine  
13 would be used to manufacture methamphetamine, in violation of Title  
14 21, United States Code, Section 841(a)(1), all in violation of  
15 Title 21, United States Code, Section 841(d)(2).

16 A TRUE BILL:

17   
18 FOREMAN

19  
20 MAURICE O. ELLSWORTH  
21 United States Attorney

22   
23 MONTE J. STILES  
24 Assistant United States Attorney

25  
26  
27 SUPERSEDING INDICTMENT - PAGE 11  
28

FILED  
U.S. DISTRICT COURT

PM AUG 16 P 3:17

DISTRICT OF IDAHO  
CAMERON S. BURKE

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

GR 91-056-S-HLR

INDICTMENT

-vs-

21 U.S.C. 846  
21 U.S.C. 841(a)(1)  
21 U.S.C. 841(b)(1)(B)  
21 U.S.C. 841(d)(2)  
18 U.S.C. 922(g)(1)  
18 U.S.C. 924(c)(1)  
21 U.S.C. 843(b)

PETER CHARLES ACUNA; ROBERT  
VICKERY; RENEE LYNN WHITE,  
aka RENEE LYNN VICKERY;  
SANDRA ANN MARSHALL, aka  
SANDRA ANN ACUNA, and  
MARK PIRTLE,

Defendants.

The Grand Jury charges:

COUNT ONE

(Vio. 21 USC 846; 841(a)(1))

THAT between the dates of April 1, 1991 and May 12, 1991,  
within the District of Idaho, and in various other districts, PETER  
CHARLES ACUNA, ROBERT VICKERY, RENEE LYNN WHITE, aka RENEE LYNN  
VICKERY, SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, and MARK  
PIRTLE, defendants herein, did combine, conspire, confederate and  
agree with each other, and with other persons, both known and

INDICTMENT - PAGE 1

1 unknown to the Grand Jury, to manufacture methamphetamine, a  
2 Schedule II Controlled Substance, in violation of Title 21, United  
3 States Code, Section 841(a)(1), all in violation of Title 21,  
4 United States Code, Section 846.

5 In furtherance of the conspiracy, and to effect the objects  
6 thereof, in the District of Idaho and elsewhere, one or more of the  
7 defendants committed, or caused to be committed, overt acts,  
8 including but not limited to the following:

9  
10 OVERT ACTS

11 1. On or about April 17, 1991, PETER CHARLES ACUNA contacted  
12 Mike Lusk, an agent of the Idaho Bureau of Narcotics, to inquire  
13 about the availability of hydriodic acid, a chemical used in the  
14 manufacture of methamphetamine.

15 2. On or about April 18, 1991, PETER CHARLES ACUNA contacted  
16 Dave Kynoch, an agent of the Idaho Bureau of Narcotics, to inquire  
17 about the availability of hydriodic acid.

18 3. On or about April 19, 1991, at approximately 10:40 a.m.,  
19 PETER CHARLES ACUNA and SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA,  
20 met with Agent Dave Kynoch and discussed the purchase of ten  
21 gallons of hydriodic acid.

22 4. On or about April 19, 1991, at approximately 5:10 p.m.,  
23 PETER CHARLES ACUNA and SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA,  
24 met with Agent Dave Kynoch and purchased ten gallons of hydriodic  
25 acid for \$2,400. The future purchase of additional chemicals was  
26 also discussed.

27 **INDICTMENT - PAGE 2**  
28

1        5. On or about May 6, 1991, at approximately 12:58 p.m.,  
2        PETER CHARLES ACUNA telephoned Agent Dave Kynoch and discussed the  
3        purchase of chemicals used in the manufacture of methamphetamine.

4        6. On or about May 6, 1991, at approximately 3:55 p.m.,  
5        PETER CHARLES ACUNA telephoned Agent Dave Kynoch and ordered  
6        chemicals used in the manufacture of methamphetamine.

7        7. On or about May 7, 1991, at approximately 10:30 a.m.,  
8        PETER CHARLES ACUNA telephoned Agent Dave Kynoch and discussed the  
9        purchase of additional chemicals used in the manufacture of  
10       methamphetamine.

11       8. On or about May 7, 1991, at approximately 7:55 p.m.,  
12       PETER CHARLES ACUNA telephoned Agent Dave Kynoch and discussed the  
13       purchased of additional chemicals used in the manufacture of  
14       methamphetamine.

15       9. On or about May 7, 1991, RENEE LYNN WHITE, aka RENEE LYNN  
16       VICKERY, and ROBERT VICKERY withdrew \$7,000.00 from a bank account  
17       to finance the purchase of chemicals used in the manufacture of  
18       methamphetamine.

19       10. On or about May 9, 1991, at approximately 5:35 p.m.,  
20       PETER CHARLES ACUNA telephoned Agent Dave Kynoch from Nevada and  
21       advised Kynoch of his travel plans to Boise.

22       11. On or about May 10, 1991 at approximately 5:23 p.m.,  
23       SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, contacted Agent Dave  
24       Kynoch to inform him that PETER CHARLES ACUNA had been arrested in  
25       Winnemucca, Nevada.

26  
27       **INDICTMENT - PAGE 3**  
28

1 12. On or about May 10, 1991, RENEE LYNN WHITE, aka RENEE  
2 LYNN VICKERY, and ROBERT VICKERY posted bail for PETER CHARLES  
3 ACUNA in Winnemucca, Nevada.

4 13. On or about May 10, 1991, at approximately 10:35 p.m.,  
5 SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, telephoned Agent Dave  
6 Kynoch to inform him of developments regarding ACUNA's arrest.

7 14. On or about May 11, 1991, at approximately 10:30 a.m.,  
8 PETER CHARLES ACUNA telephoned Agent Dave Kynoch to discuss his  
9 release from jail and plans to continue to Boise.

10 15. On or about May 11, 1991, PETER CHARLES ACUNA, ROBERT  
11 VICKERY and RENEE LYNN WHITE, aka RENEE LYNN VICKERY, traveled to  
12 Nampa, Idaho.

13 16. On or about May 11, 1991, at approximately 4:00 p.m.,  
14 PETER CHARLES ACUNA rented rooms 116 and 117, Shilo Inn, Nampa  
15 Boulevard, Nampa, Idaho.

16 17. On or about May 11, 1991, RENEE LYNN WHITE, aka RENEE  
17 LYNN VICKERY, and ROBERT VICKERY took possession of room 116, Shilo  
18 Inn, Nampa Boulevard, Nampa, Idaho.

19 18. On or about May 11, 1991, at approximately 5:03 p.m.,  
20 PETER CHARLES ACUNA telephoned Agent Dave Kynoch to arrange a  
21 meeting place for ACUNA's purchase of chemicals.

22 19. On or about May 11, 1991, at approximately 6:20 p.m.,  
23 PETER CHARLES ACUNA met with Agent Dave Kynoch and showed Kynoch  
24 the cash to be used for the chemical purchase.

25  
26  
27 INDICTMENT - PAGE 4  
28

1        20. On or about May 11, 1991, at approximately 7:53 p.m.,  
2        PETER CHARLES ACUNA met Agent Dave Kynoch at the Stage Stop Truck  
3        Stop to complete the chemical purchase.

4        21. On or about May 11, 1991, PETER CHARLES ACUNA took  
5        possession of approximately ten pounds of ephedrine, 15 gallons of  
6        hydriodic acid, three liters of methylamine, 10 pounds of  
7        phenylacetic acid, and 50 pounds of caustic soda, from Agent  
8        Kynoch. In exchange, ACUNA delivered approximately \$5,500.00 in  
9        cash and three pounds of marijuana to Agent Dave Kynoch.

10       22. On or about May 11, 1991, PETER CHARLES ACUNA carried a  
11       loaded 9mm Browning Hi-Power semi-automatic pistol during the  
12       chemical purchase and marijuana delivery.

13       23. On or about May 11, 1991, PETER CHARLES ACUNA and Agent  
14       Kynoch discussed future chemical transactions in which ACUNA would  
15       provide quantities of methamphetamine to Agent Kynoch in exchange  
16       for chemicals used to manufacture additional methamphetamine.

17       24. On or about May 11, 1991, ROBERT VICKERY and RENEE LYNN  
18       WHITE, aka RENEE LYNN VICKERY, possessed methamphetamine with the  
19       intent to distribute.

20       25. That on or about May 11, 1991, ROBERT VICKERY and RENEE  
21       LYNN WHITE, aka RENEE LYNN VICKERY, possessed marijuana with the  
22       intent to distribute.

COUNT TWO  
(Vio. 21 USC 841(d)(2))

That on or about April 19, 1991, within the District of Idaho, PETER CHARLES ACUNA and SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, defendants herein, did willfully and intentionally possess a listed chemical, namely: hydriodic acid, knowing, or having reasonable cause to believe that the hydriodic acid would be used to manufacture methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 841(d)(2).

COUNT THREE  
(Vio. 21 USC 843(b))

That on or about May 10, 1991, at approximately 5:23 p.m., within the District of Idaho and elsewhere, SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, defendant herein, did knowingly and intentionally use a communication facility, that is, a telephone, to commit or cause or facilitate the commission of the crime of conspiracy to manufacture methamphetamine, as charged in Count One, and/or the crime of possessing listed chemicals, as charged in Counts 10, 11, 12 or 13, all of which are felonies under the provisions of Title 21, United States Code; all in violation of Title 21, United States Code, Section 843(b)



COUNT FOUR  
(Vio. 21 USC 843(b))

That on or about May 10, 1991, at approximately 10:35 p.m., within the District of Idaho and elsewhere, SANDRA ANN MARSHALL, aka SANDRA ANN ACUNA, defendant herein, did knowingly and intentionally use a communication facility, that is, a telephone, to commit or cause or facilitate the commission of the crime of conspiracy to manufacture methamphetamine, as charged in Count One, and/or the crime of possessing listed chemicals, as charged in Counts 10, 11, 12 or 13, all of which are felonies under the provisions of Title 21, United States Code; all in violation of Title 21, United States Code, Section 843(b).

COUNT FIVE  
(Vio. 21 USC 841(a)(1))

That on or about May 11, 1991, within the District of Idaho, PETER CHARLES ACUNA, defendant herein, did knowingly and intentionally distribute marijuana, a Schedule I Controlled Substance, to Idaho Bureau of Narcotics Agent Dave Kynoch, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX  
(Vio. 21 USC 841(a)(1); 841(b)(1)(B))

That on or about May 11, 1991, within the District of Idaho, ROBERT VICKERY and RENEE LYNN WHITE, aka RENEE LYNN VICKERY, defendants herein, did knowingly and intentionally possess 100

1 grams or more of a mixture or substance containing a detectable  
2 amount of methamphetamine, a Schedule II Controlled Substance, with  
3 the intent to distribute, in violation of Title 21, United States  
4 Code, Sections 841(a)(1) and 841(b)(1)(B).

5  
6 COUNT SEVEN  
7 (Vio. 21 USC 841(a)(1))

8 That on or about May 11, 1991, within the District of Idaho,  
9 ROBERT VICKERY and RENEE LYNN WHITE, aka RENEE LYNN VICKERY,  
10 defendants herein, did knowingly and intentionally possess  
11 marijuana, a Schedule I Controlled Substance, with the intent to  
12 distribute, in violation of Title 21, United States Code, Section  
13 841(a)(1).

14 COUNT EIGHT  
15 (Vio. 18 USC 924(c)(1))

16 That on or about May 11, 1991, within the District of Idaho,  
17 PETER CHARLES ACUNA, defendant herein, knowingly used and/or  
18 carried a firearm, that is: a 9mm Browning Hi-Power semi-automatic  
19 pistol, during and in relation to the drug trafficking crimes  
20 described in Counts 1, 5, 10, 11, 12 and 13 hereof, in violation  
21 of Title 18, United States Code, Section 924(c)(1).

22  
23 COUNT NINE  
24 (Vio. 18 USC 922(g)(1))

25 That on or about May 11, 1991, within the District of Idaho,  
26 PETER CHARLES ACUNA, defendant herein, did unlawfully possess, in

1 or affecting commerce, a firearm, namely: a 9mm Browning Hi-Power  
2 semi-automatic pistol, said ACUNA having previously been convicted  
3 of crimes punishable by imprisonment for a term exceeding one year,  
4 to wit: on or about December 28, 1976, in Eldorado County Superior  
5 Court, California, for the crime of Assault With a Deadly Weapon;  
6 on or about July 22, 1977, in Sacramento County Superior Court,  
7 California, for the crime of Forgery; and/or on or about May 11,  
8 1981, in Clark County, Washington, for the crimes of robbery in the  
9 first degree, assault in the second degree and possession of stolen  
10 property; all in violation of Title 18, United States Code, Section  
11 922(g)(1).

12  
13 COUNT TEN  
14 (Vio. 21 USC 841(d)(2))

15 That on or about May 11, 1991, within the District of Idaho,  
16 PETER CHARLES ACUNA, defendant herein, did willfully and  
17 intentionally possess a listed chemical, namely: hydriodic acid,  
18 knowing, or having reasonable cause to believe that the hydriodic  
19 acid would be used to manufacture methamphetamine, in violation of  
20 Title 21, United States Code, Section 841(a)(1), all in violation  
21 of Title 21, United States Code, Section 841(d)(2).

22  
23 COUNT ELEVEN  
24 (Vio. 21 USC 841(d)(2))

25 That on or about May 11, 1991, within the District of Idaho,  
26 PETER CHARLES ACUNA, defendant herein, did willfully and  
27 intentionally possess a listed chemical, namely: ephedrine,  
28 INDICTMENT - PAGE 9

1 knowing, or having reasonable cause to believe that the ephedrine  
2 would be used to manufacture methamphetamine, in violation of Title  
3 21, United States Code, Section 841(a)(1), all in violation of  
4 Title 21, United States Code, Section 841(d)(2).  
5

6 COUNT TWELVE  
7 (Vio. 21 USC 841(d)(2))

8 That on or about May 11, 1991, within the District of Idaho,  
9 PETER CHARLES ACUNA, defendant herein, did willfully and  
10 intentionally possess a listed chemical, namely: methylamine,  
11 knowing, or having reasonable cause to believe that the methylamine  
12 would be used to manufacture methamphetamine, in violation of Title  
13 21, United States Code, Section 841(a)(1), all in violation of  
14 Title 21, United States Code, Section 841(d)(2).  
15

16 COUNT THIRTEEN  
17 (Vio. 21 USC 841(d)(2))

18 That on or about May 11, 1991, within the District of Idaho,  
19 PETER CHARLES ACUNA, defendant herein, did willfully and  
20 intentionally possess a listed chemical, namely: phenylacetic acid,  
21 knowing, or having reasonable cause to believe that the methylamine  
22 would be used to manufacture methamphetamine, in violation of Title  
23 21, United States Code, Section 841(a)(1), all in violation of  
24 Title 21, United States Code, Section 841(d)(2).  
25  
26

A TRUE BILL:

Fred D. Harder  
FOREMAN

MAURICE O. ELLSWORTH  
United States Attorney

Monte J. Stiles  
MONTE J. STILES  
Assistant United States Attorney

M2255, TERMED

**U.S. District Court  
District of Idaho (LIVE Database) Version 3.0.5 (Boise)  
CRIMINAL DOCKET FOR CASE #: 1:91-cr-00056-HLR All Defendants  
Internal Use Only**

Case title: USA v. Acuna, et al

Date Filed: 08/16/1991

Date Terminated: 05/12/1994

Assigned to: Honorable Harold L. Ryan

**Defendant****Peter Charles Acuna (1)***TERMINATED: 07/09/1992***Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

Assigned to: Honorable Harold L. Ryan

Appeals court case number: 98-35038

**Defendant****Robert Vickery (2)***TERMINATED: 07/09/1992*

represented by **Michael J Flanagan**  
**PENLAND & MUNTHER**  
PO Box 199  
Boise, ID 83701

(208) 344-4566  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

Assigned to: Honorable Harold L. Ryan  
Appeals court case number: 98-35040

**Defendant**

**Renee Lynn White (3)**  
*TERMINATED: 07/09/1992*  
*also known as*  
Renee Lynn Vickery

represented by **Michael J Flanagan**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

Assigned to: Honorable Harold L. Ryan

**Defendant**

**Sandra Ann Marshal (4)**  
*TERMINATED: 04/14/1994*  
*also known as*  
Sandra Ann Acuna

represented by **Kenneth D Roberts**  
ROBERTS & ROBINSON  
1024 E Belmont St  
Caldwell, ID 83605  
(208) 454-2531  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

Assigned to: Honorable Harold L. Ryan

**Defendant**

**Mark Douglas Pirtle (5)**  
*TERMINATED: 05/12/1994*

represented by **Michael J Brennan**  
USA Law School  
Pocat Conviction Justice Project  
Los Angeles, CA 90089-0071  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*



**David D Manweiler**  
MANWEILER MANWEILER BREEN  
& BALL PLLC  
PO Box 937  
Boise, ID 83701-0937  
(208) 424-9100  
Fax: (208) 424-3100  
*TERMINATED: 06/05/1995*  
*Designation: CJA Appointment*

**Pending Counts**

21:846 NARCOTICS-SELL,  
DISTRIBUTE, OR DISPENSE  
(1)

18:924 FIREARMS use in drug  
trafficking  
(9)

**Disposition**

151 mons. imprisonment on Ct 1; 60  
mons. imprisonment on Ct 9; 5 yrs.  
supervised release; \$010 special  
assessment

151 mons. imprisonment on Ct 1; 60  
mons. imprisonment on Ct 9; 5 yrs.  
supervised release; \$010 special  
assessment

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

USA

Date Filed	#	Docket Text
12/12/1991	<u>92</u>	SUPERSEDING INDICTMENT; counts filed against Mark Douglas Pirtle (5) count(s) 1, 9 (cd) (Entered: 02/02/1994)

01/07/1994	216	MANDATE from Circuit Court of Appeals Affirming district court as to Dfts' Renee Vikery and Robert Vicekry. Vacating and remanding for sentencing as to Dft. Pirtle. (cc: all parties) (cd) (Entered: 02/02/1994)
01/07/1994		(Court only) Docket Modification (Utility) case reopened by mandate of 2/7/94 (cd) (Entered: 02/02/1994)
01/17/1994		(Court only) Docket Modification (Utility) Placed Counts for Def. Pirtle in P5-awaiting sentencing- pursuant to Mandate from 9th Circuit (dcap) (Entered: 06/01/1994)
01/20/1994	217	MANDATE from Circuit Court of Appeals Affirming District Court as to Dft. Acuna. (cc: all parties) (cd) (Entered: 02/02/1994)
02/08/1994	218	ORDER by Honorable Harold L. Ryan Appting David Manweiler as Atty for Def. Pirtle (Nunc Pro Tunc 1.8.94) (sb) (Entered: 02/09/1994)
02/08/1994	219	ORDER by Honorable Harold L. Ryan sentencing hearing set for 10:00 AM, on 4/12/94 for Mark Douglas Pirtle; Marshals are to ensure Def's Appearance; U.S. Probation tro Prepare Pre-Sentence Report. (cc: all parties) (sb) (Entered: 02/09/1994)
03/16/1994	220	MOTION to vacate & Cont. Sent. Hearing by Def. Pirtle (sb) (Entered: 03/29/1994)
03/16/1994	221	AFFIDAVIT of David D. Manweiler in Support of Mot. to Vacate & Cont. Sentencing Hearing. [220-1] (sb) (Entered: 03/29/1994)
04/04/1994	222	ORDER by Honorable Harold L. Ryan granting motion to vacate & Cont. Sent. Hearing [220-1] ; sentencing hearing reset for 4:30 PM on 5/12/94 for Def. Pirtle before Judge Ryan (cc: all parties) (sb) (Entered: 04/06/1994)
04/14/1994	223	MOTION of USA & ORDER by Honorable Harold L. Ryan case dismissed as to Def. Sandra Marshall (cc: all parties) (sb) (Entered: 05/11/1994)
05/05/1994	224	NOTICE of hearing sentencing hearing reset for 10:00 AM, on 5/12/94 for Mark Douglas Pirtle before HLR in Boise (cc: all parties) (sb) (Entered: 05/11/1994)
05/12/1994	225	MINUTES: before Honorable Harold L. Ryan sentencing of Def. Pirtle to cts 1&9 . 151 mons. imprisonment on Ct 1; 60 mons. imprisonment on Ct 9; 5 yrs. supervised release; \$100 special assessment (sb) (Entered: 05/27/1994)
05/12/1994		(Court only) Docket Modification (Utility) case terminated (sb) (Entered: 05/27/1994)
05/12/1994	226	JUDGMENT as to Mark Douglas Pirtle by Honorable Harold L. Ryan (cc: all parties) ; Book 16 Page 039 (sb) (Entered: 05/27/1994)
05/12/1994	227	FINDINGS of fact and STATEMENT of Reasons re Def. Pirtle by Honorable Harold L. Ryan (cc: all parties) (sb) (Entered: 05/27/1994)

06/24/1994		RECEIPT as to Renee Lynn White - Receipt # 8856, \$ 150.00 for Fine - No balance available. (ct) (Entered: 06/29/1994)
09/20/1994	228	ORDER by Honorable Harold L. Ryan Amending Judgment re Def. Vickery. [226-1] (cc: all parties) (sb) (Entered: 10/11/1994)
09/28/1994	229	AMENDED JUDGMENT as to Def. Vickery by Honorable Harold L. Ryan (cc: all parties) ; Book 16 Page 105 (sb) (Entered: 10/11/1994)
06/09/1995	230	ORDER by Honorable Edward J. Lodge Amending Judgment as to Def. Renee White (cc: all parties) (sb) (Entered: 08/03/1995)
06/09/1995	231	AMENDED JUDGMENT as to Renee Lynn White by Honorable Edward J. Lodge (cc: all parties) ; Book 17 Page 064 (sb) (Entered: 08/03/1995)
12/06/1996	232	PETITION for Writ 28:2255 by Mark Douglas Pirtle filed as Civil Case # 96-541-S-BLW (sb) (Entered: 03/17/1997)
12/06/1996	233	MEMORANDUM in support of Pursuant to 28:2255 petition [232-1] (sb) (Entered: 03/17/1997)
03/17/1997	234	NOTICE of Filing and Briefing Schedule re 28:2255 Motion of Def. Pirtle [232-1] (cc: all parties) (sb)
04/02/1997	235	MOTION for Extension of Time to file response to 28:2255 Motion of Def. Pirtle by USA (sb) (Entered: 04/08/1997)
04/10/1997	236	ORDER by Honorable B. Lynn Winmill granting motion for Extension of Time to file response to 28:2255 Motion of Pirtle [235-1] until 8.1.97 (cc: all parties) (sb) (Entered: 04/15/1997)
04/18/1997	237	MOTION for Enlargement of Time by Def. Acuna (sb)
04/21/1997	238	PETITION for Writ 28:2255 by Robert Vickery filed as Civil Case # 97-161-S-BLW (sb) (Entered: 04/22/1997)
04/21/1997	239	MEMORANDUM of Points and Authorities in Support of Motion Pursuant to 28:2255 re Def. Robert Vickery [238-1] (sb) (Entered: 04/22/1997)
04/21/1997	240	PETITION for Writ 28:2255 by Renee Lynn White filed as Civil Case # 97-162-S-BLW (sb) (Entered: 04/22/1997)
04/21/1997	241	MEMORANDUM of Points and Authorities in support of Motion Pursuant to 28:2255 petition re Def. Renee White [240-1] (sb) (Entered: 04/22/1997)
04/22/1997	242	APPLICATION and ORDER for Admission Pro Hac Vice re Hugo Torbet as atty for defs. Robert Vickery and Renee White for purpose of 2255 Petitions (sb)
04/22/1997	243	NOTICE of Filing and Briefing Schedule re 28:2255 Motion of Def. Robert Vickery. (sb)

04/22/1997	244	NOTICE of Filing and briefing Schedule regarding 28:2255 Motion of Def. Renee White. (sb)
05/15/1997	245	RESPONSE by USA to 28:2255 Petition of Def. Vickery [238-1] (sb) (Entered: 05/16/1997)
05/15/1997	246	AFFIDAVIT of Monte J. Stiles filed in support of response to 28:2255 Petition of Def. Vickery [245-1] (sb) (Entered: 05/16/1997)
05/15/1997	247	RESPONSE by USA to 28:2255 Petition of Def. White [240-1] (sb) (Entered: 05/16/1997)
05/15/1997	248	AFFIDAVIT of Monte J. Stiles filed in support of response to 28:2255 Petition of Def. White [247-1] (sb) (Entered: 05/16/1997)
05/15/1997	249	ORDER by Honorable B. Lynn Winmill granting motion for Extension of Time to file response to 28:2255 Motion of Pirtle [235-1] (cc: all parties) (sb) (Entered: 06/26/1997)
05/28/1997	251	TRAVERSE by def Vickery re Govt's Response to 2255 Motion [245-1] (sb) Modified on 06/26/1997
05/28/1997	250	TRAVERSE by def White re Govt's Response to 2255 Motion [247-1] (sb)
07/30/1997	252	RESPONSE by USA to Motion of Def. Pirtle under 28 USC 2255 [232-1] (sb) (Entered: 07/31/1997)
07/30/1997	253	AFFIDAVIT of Monte J. Stiles in support of response to Def. Pirtle's 2255 Motion [252-1] (sb) (Entered: 07/31/1997)
07/30/1997	254	RESPONSE by USA to Petitioner's Vickery & White Traverses re 28:2255 Petitions [250-1][251-1] (sb) (Entered: 07/31/1997)
07/30/1997	255	AFFIDAVIT of Monte J. Stiles filed in support of response [254-1] (sb) (Entered: 07/31/1997)
08/18/1997	256	REPLY by defs Vickery and White to United States Response to Petitioner's Traverse re 28 USC 2255 Petition [254-1] (sb)
08/18/1997	257	EX PARTE APPLICATION by defendant Pirtle for an Extension of Time to File Reply Brief to Govt. Response to 28 USC 2255 Petition. (sb) (Entered: 08/27/1997)
08/29/1997	258	REPLY by def Pirtle to Govt's Response to 28 USC 2255 Petition [252-1] (sb)
09/25/1997	259	ORDER by Honorable B. Lynn Winmill denying 28:2255 petition [240-1][238-1] re Def's Vickery & White; ORDER Dismissing Civil proceedings(cc: all parties) (sb) (Entered: 09/26/1997)
11/19/1997	260	APPEAL Notice to USCA by defendant Robert Vickery re [259-1] fees 105.00 (cc: all parties) (rr)

11/19/1997	261	APPEAL Notice to USCA by defendant Renee Lynn White re [259-1] fees 105.00 (cc: all parties) (rr)
12/11/1997	262	ORDER Granting Permission to Appeal for as to Robert Vickery, Renee Lynn White (cc: all parties) (rr)
12/11/1997		Appeals packet to 9th Circuit; Attys. (rr)
12/11/1997		Appeals packet to 9th Circuit; Attys. (rr)
01/21/1998		RE APPEAL [260-1] filed on 11/19/97; Appeal number 98-35038 received from USCA (dcap) (Entered: 06/26/2000)
01/21/1998		RE APPEAL [261-1] filed on 11/19/97; Appeal number 98-35040 received from USCA (dcap) (Entered: 06/26/2000)
05/11/1998		CLERK'S record on appeal sent to 9CCA. Sent 4 Volume(s) and 17 Volumes of Transcripts. (rr)
12/23/1998	263	APPLICATION by def Pirtle for Permission for Parties to File Supplemental briefs (sb) (Entered: 12/24/1998)
01/15/1999	264	ORDER by Honorable B. Lynn Winmill granting Def Pirtle's request [263-1] to file additional briefs re 2255 Petition (cc: all parties) (sb) (Entered: 01/19/1999)
04/12/1999	265	MOTION to Inspect Grand Jury Minutes by Robert Vickery (sb)
04/12/1999	266	MEMORANDUM in support of motion to Inspect Grand Jury Minutes [265-1] (sb)
04/19/1999	267	RESPONSE by USA to motion of Robert Vickery to Inspect Grand Jury Minutes [265-1] (sb) (Entered: 04/21/1999)
04/30/1999	268	OPPOSITION by def Vickery to Govt's Response to Motion to Inspect Grand Jury Minutes [265-1] (sb)
05/03/1999	269	ORDER by Honorable B. Lynn Winmill for briefing schedule re Def Pirtle's 2255 Petition [232-1]; Pirtle's brief shall be filed by 6/4/99, response by 7/2/99 and final reply brief due 7/16/99; Atty Michael Brennan substituted as counsel for def Pirtle (cc: all parties) (sb) (Entered: 05/10/1999)
06/03/1999	270	SUPPLEMENTAL MEMORANDUM by def Pirtle in support of Motion to vacate sentence of a person in federal custody pursuant to 28:2255 [232-1] (sb)
07/01/1999	271	RESPONSE by USA to Supplemental Memorandum of Def. Pirtle in Support of Petitioner's 28 USC 2255 Petition [270-1] (sb) (Entered: 07/02/1999)
07/16/1999	272	RESPONSE by def Pirtle to Govt's Reply to Supplemental Memorandum in Support of Petitioner's 28 USC 2255 Petition [271-1] (sb)

07/27/1999	273	REPLY by USA to Petitioner's 7/14/99 response to Govt's reply to supplemental memorandum in support of Def Pirtle's 28 USC 2255 Petition [232-1] (sb) (Entered: 08/05/1999)
08/13/1999	<u>274</u>	MEMORANDUM DECISION by Honorable B. Lynn Winmill denying 28:2255 petition of Def. Pirtle [232-1] [257-1] (cc: all parties) (sb) (Entered: 08/16/1999)
08/13/1999	<u>275</u>	JUDGMENT dismissing 2255 Petition of Def Pirtle by Honorable B. Lynn Winmill (cc: all parties) (JUDGMENT SCANNED) (sb) (Entered: 08/16/1999)
09/17/1999	276	CERTIFICATE OF Appealability by Honorable B. Lynn Winmill (cc: all counsel) (rr) (Entered: 09/20/1999)
10/25/1999	277	APPEAL Notice to USCA by defendant Mark Douglas Pirtle re [275-1] fees Fees not paid (cc: all parties) (rr)
10/25/1999	278	APPLICATION for Certificate of Appealability by Mark Douglas Pirtle (rr)
08/08/2000	<u>279</u>	MANDATE from Circuit Court of Appeals affirming the decision of the District Court on appeal [261-1], affirming the decision of the District Court on appeal [260-1] (cc: all parties) (rr)
03/12/2001	<u>280</u>	ORDER granting motion for Certificate of Appealability [278-1] (cc: all parties) (rr) (Entered: 03/13/2001)
03/13/2001		Appeals packet to 9th Circuit; Attys. (rr)
10/24/2001		CLERK'S record on appeal sent to 9CCA. Sent 4 Volume(s) (rr)
02/12/2002		APPEAL Record returned by USCA as to defendant Mark Douglas Pirtle re [277-1] (rr)
02/12/2002	<u>281</u>	MANDATE from Circuit Court of Appeals affirming the decision of the District Court on appeal [277-1] (cc: all parties) (rr)
02/09/2005		(Court only) ***Motions terminated as to Peter Charles Acuna: [237] Motion for Extension of Time to File filed by Peter Charles Acuna,. Docket #249 (mp, )
12/20/2005	● <u>282</u>	Remark-A motion to vacate, set aside or correct sentence by a person in Federal Custody 28 USC 2255 was filed in Civil Case 05-517-S-EJL. All docketing will be done in CV 05-517-S-EJL as to Peter Charles Acuna (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit) (dkh, ) (Entered: 12/21/2005)
12/29/2005	● <u>283</u>	ORDER that Petitioner's Motion to vacate, set aside or correct sentence pursuant to 28 USC 2255 is denied; Petitioner's motion for appointment of counsel is denied as moot; Petitioner's civil case associated with this 2255 motion is dismissed in its entirety (CV 05-517-S-EJL) as to Peter Charles Acuna re <u>282</u> (Notice sent to USM) . Signed by Judge Edward J. Lodge. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja, )



12/29/2005	● <u>284</u>	ORDER that Petitioner take nothing from the respondent and the civil case associated with this matter shall be dismissed in its entirety (CV 05-517-S-EJL) as to Peter Charles Acuna re <u>283</u> Order (Notice sent to USM) . Signed by Judge Edward J. Lodge. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja, )
07/30/2007	● <u>285</u>	Probation Jurisdiction Transferred to Northern District of California Transmitted Transfer of Jurisdiction form, with certified copies of indictment, superseding indictment, judgment and docket sheet. (Notice sent to USP) (dks, )
07/30/2007	● <u>286</u>	LETTER from Darlene Smith as to Mark Douglas Pirtle (dks, )